

Art Unit: 1648

repeat, appears on the residues 1151-1185 of SARS S protein, see e.g. last Para, left col. p. 4, and Figure 3b. In Figure 3, Kliger shows that the helical wheel of C-HR, which consists of seven corners, corresponding to the fit of **seven amino acid residues into every two helical turns**, wherein the residues L and I, which are key amino acids for forming the HR helix motif, are labeled in bold (See Fig. 3b and description).

18. In the recently decided case of *KSR International Co. v. Teleflex Inc.* (82 U.S.P.Q. 2d1385, 2007), the Supreme Court provided a number of bases on which a claimed invention may be found obvious. In particular, “When there is a design need or market pressure to solve a problem and there are a finite number of identified predictable potential solutions, **a person of ordinary skill has good reason to pursue the known potential options within his or her technical grasp. If this leads to the anticipated success, it is likely the product not of innovation but of ordinary skill and common sense**” (Emphasis added).

19. In the present case, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make HR-C4a analog of SEQ ID NO: 67, by substituting amino acid I for native amino acid A of the native HR segment, in order to make a more stable helix structure.

H H H H H H H H H H H	<i>abcdefg</i>	
DISGINASVVNI Q KEIDR L NEV I KNLNES L ID L QEL	36	SEQ ID NO:67
DISGINASVVNI Q KEIDR L NEV A KNLNES L ID L QEL	42	SEQ ID NO:27, Rottier
ISGINASVVNI Q KEIDR L NEV A KNLNES L ID L QEL	35	native C-HR, Kliger
H H H H H H H H H H H		
* * * * *	*	

Where * indicate seven amino acid residues into every two helical turns; H represents hydrophobic residues; and "**I**" and "**A**" in bold italic are residues focused in the discussion, see the text.

Examples of hydrophobic residues are: **L** (Leucine), **I** (Isoleucine), **P** (phenylalanine) and **V** (Valine).
